

# TRUSTEE'S SALE

## OF VALUABLE FEE SIMPLE REAL ESTATE

By virtue of the appointment of Thomas C. Nikirk as Trustee for the purpose of sale, and the Power of Sale granted by a Decree of the Circuit Court for Frederick County, Maryland, sitting as a Court of Equity, in a proceeding known as Delores R. Messner vs. James E. Messner, dated May 23, 1979, the Trustee will offer for sale at the Frederick County Court House door on

**TUESDAY, JUNE 19, 1979**

At 11:00 A.M.

all the herein described real estate, together with improvements thereon, described as follows:

**PARCEL NO. 1:** All that parcel or tract of land situate, lying and being in Hauver's District, in Frederick County, State of Maryland, and being more particularly described as follows:

**BEGINNING** at a point at the East end of a stone retaining wall in the North marginal line of Harbaugh Valley Road, said point being in the 2nd or North 37 degrees West 145.0 feet line of a conveyance dated April 15, 1964 from Ruth B. Wagaman, widow, unto Donald Richard Davis and Margaret A. Davis, his wife, recorded in Liber 701, Folio 589, one of the Land Records of Frederick County, Maryland, and running thence with the North marginal line of said road and the following three lines of division across the land conveyed by Anna E. Eby, widow, to Lester G. Bittner and Mary Jane Bittner, his wife, by deed dated November 27, 1940, and recorded in Liber 426, Folio 79, one of the aforesaid Land Records, North 57 degrees 00' East 160.00 feet to an iron pin, thence leaving said road North 37 degrees 00' West 126.32 feet to an iron pin, thence South 57 degrees 00' West 160.00 feet to an iron pin at the end of the second line of said Davis conveyance, thence with said 2nd line reversed South 37 degrees 00' East 126.32 feet to the place of beginning, containing 20,211 square feet of land, more or less.

**BEING** all and the same real estate which was conveyed unto James Edwin Messner and Delores Regina Messner, his wife, by Lester G. Bittner and Mary Jane Bittner, his wife, by deed dated February 20, 1968, and recorded in Liber 779, Folio 455, one of the Land Records of Frederick County, Maryland.

**PARCEL NO. 2:** All that parcel or tract of land situate, lying and being in Hauver's District, Frederick County, Maryland, and more particularly described as follows:

**BEGINNING** at the end of the second North 37 degrees 00' West 126.32 feet line in the deed between Lester G. Bittner, et ux, and James E. Messner, et ux, dated the 20th day of February, 1968, and recorded among the Land Records of Frederick County, Maryland, in Liber 779, Folio 455, and running thence with the continuation of the said second line (1) North 37 degrees 00' West 50.0 feet to an iron pin; thence (2) South 57 degrees 00' West 160 feet to an iron pin; thence (3) South 37 degrees 00' East 50.0 feet to the end of the third or South 57 degrees 00' West 160 feet line in said deed; and thence running with the said third line in said deed reversed (4) North 57 degrees 00' East, 160 feet to the point of beginning, containing 8,000 square feet of land, more or less.

**BEING** all and the same real estate which was conveyed unto James Edwin Messner and Delores Regina Messner, his wife, by Lester G. Bittner and Mary Jane Bittner, his wife, by deed dated August 28, 1968, and recorded in Liber 791, Folio 150, one of the Land Records of Frederick County, Maryland.

**IMPROVEMENTS:** The improvements to be sold are located at Route 1, Box 17, Lantz, Maryland. The improvements consist of a one-story, 5 room, brick and stone house with full basement, two fireplaces, one and a half baths, oil heat, composition roof, recreation area and a two-car garage.

**TERMS OF SALE:** A deposit of \$1,000.00 of the purchase price in cash or check acceptable to the Trustee will be required of the purchaser or purchasers on the date of the sale. Balance of said purchase price to be paid within five (5) days of final ratification thereof by the Circuit Court for Frederick County, Maryland, and to bear interest from the date of sale to the date of settlement at the rate of Eight percent (8%) per annum. Real estate taxes will be adjusted to the date of sale, and all costs and expenses of conveyancing are to be borne by the purchaser or purchasers.

**THOMAS C. NIKIRK,**  
Trustee  
114 North Court Street  
Frederick, Maryland 21701

**EDWIN F. NIKIRK II,**  
Attorney for Trustee  
NIKIRK AND NIKIRK  
110 North Court Street  
Frederick, Maryland 21701  
(301) 662-1781

**GEORGE WILLIAM SMITH,** Auctioneer  
New Midway, Maryland 21775  
(301) 845-8815

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### ACKNOWLEDGEMENT OF PURCHASE

WE do (~~does~~) hereby acknowledge that WE have (~~has~~) purchased the real estate described in the advertisement attached hereto as Parcel Nos. 1 & 2 at and for the sum of

FIFTY THOUSAND  
Dollars (\$50,000.<sup>00</sup>), the sum of

ONE THOUSAND  
Dollars (\$1000.<sup>00</sup>/<sub>100</sub>), having been paid this date and the balance of

FORTY-NINE THOUSAND  
Dollars (\$49,000.<sup>00</sup>) being due and payable at the time of final settlement and WE do (~~does~~) further

covenant and agree that WE will comply with the terms of sale as expressed in the advertisement attached hereto.

WITNESS OUR hand(s) and Seal(s)  
this 19<sup>th</sup> day of June, 1979.

Lester G. Bittner (SEAL)  
LESTER G. BITTNER

Mary Jane Bittner (SEAL)  
MARY JANE BITTNER  
Purchasers

WITNESS:

Edwin F. Nikirk II  
Edwin F. NIKIRK II

Filed June 20, 1979